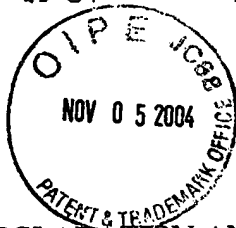


408 765 4780



PATENT

Attorney Docket No.: INTEL1210 (P18026)

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled, **METHODS FOR USING RAMAN SPECTROSCOPY TO OBTAIN A PROTEIN PROFILE OF A BIOLOGICAL SAMPLE**, the specification of which

\_\_\_\_\_ is attached hereto

**XX** was filed on **December 30, 2003** (Atty. Docket No. INTEL1210 (P18026))

as U.S. Application Serial No. **10/749,528**

and was amended on \_\_\_\_\_ if applicable (the "Application").

**I hereby authorize and request insertion of the application serial number of the Application when officially known.**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, Code of Federal Regulations ("C.F.R."), § 1.56.

PATENT

Attorney Docket No.: INTEL1210 (P18026)

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)(Filing Date)

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of the Application:

(Application Serial No.)(Filing Date)(Status - patented, pending, abandoned)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

COUNTRY

APPLICATION NO.

FILING DATE

PRIORITY CLAIMED

v Yes

No

PATENT

Attorney Docket No.: INTEL1210 (P18026)

I hereby appoint the practitioners associated with the Customer Number

**28213**

as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

I have reviewed Title 37, Code of Federal Regulations, Section 1.56, Duty to Disclose Information Material to Patentability, attached hereto as Appendix A. I hereby authorize and request insertion of the application number of the Application when officially known.

Address all correspondence to:

LISA A. HAILE, J.D., PH.D.  
GRAY CARY WARE & FREIDENRICH LLP  
Attorneys for INTEL CORPORATION  
4365 Executive Drive, Suite 1100  
San Diego, CA 92121  
**USPTO CUSTOMER NO. 28213**

Direct all telephone calls to:

LISA A. HAILE, J.D., PH.D.  
Telephone: (858) 677-1456  
Attorney for INTEL CORPORATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States


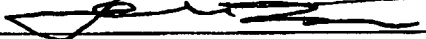
PATENT

Attorney Docket No.: INTEL1210 (P18026)

Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



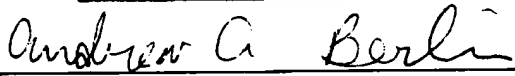
## PATENT

Attorney Docket No.: INTEL1210 (P18026)

Full name of first inventor: Xing SuInventor's signature: Date: 9/24/04Residence: 21811 Granada Avenue, Cupertino, CA 95014Citizenship: United States of AmericaPost Office Address: 21811 Granada Avenue, Cupertino, CA 95014Full name of second inventor: Lei SunInventor's signature: Date: 9/24/04Residence: 2335 Falling Water Court, Santa Clara, CA 95054Citizenship: Peoples' Republic of ChinaPost Office Address: 2335 Falling Water Court, Santa Clara, CA 95054Full name of third inventor: Mineo YamakawaInventor's signature: Date: 9/24/04Residence: 254 W. Rincon Avenue, No. B, Campbell, CA 95008Citizenship: JapanPost Office Address: 254 W. Rincon Avenue, No. B, Campbell, CA 95008

## PATENT

Attorney Docket No.: INTEL1210 (P18026)

Full name of forth inventor: Tae-Woong KooInventor's signature: Date: 9/24/04Residence: 10396 Menhart Lane, Cupertino, CA 95014Citizenship: Republic of KoreaPost Office Address: 10396 Menhart Lane, Cupertino, CA 95014Full name of fifth inventor: Selena ChanInventor's signature: Date: 9/24/04Residence: 65 Rio Robles East, No. 3311, San Jose, CA 95134Citizenship: United States of AmericaPost Office Address: 65 Rio Robles East, No. 3311, San Jose, CA 95134Full name of sixth inventor: Andrew A. BerlinInventor's signature: Date: 9/21/04Residence: 1789 Dalton Place, San Jose, CA 95124Citizenship: United States of AmericaPost Office Address: 1789 Dalton Place, San Jose, CA 95124

PATENT

Attorney Docket No.: INTEL1210 (P18026)

Full name of seventh inventor: Narayanan SundararajanInventor's signature: S.N.Date: 9/24/04Residence: 126 Crespi Drive, San Francisco, CA 94132Citizenship: IndiaPost Office Address: 126 Crespi Drive, San Francisco, CA 94132

Appendix A

## Title 37, Code of Federal Regulations, Section 1.56

Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office of submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applications to carefully examine:

(1) Prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

- (i) Opposing an argument of unpatentability relied on by the Office, or
- (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.